

NOTICE OF RECEIPT WATER RIGHT APPLICATION

(Pursuant to Section § 85-2-307(1), MCA)

Summarized below are the application details as described in an Application to Change of Appropriation Water Right received by the Department of Natural Resources & Conservation on AUGUST 24, 2015. This notice reflects the application details only as originally submitted. The notice does not reflect changes to the application details made during the review process.

Application Number : 41S 30103036

Applicant : BOS TERRA LP
PO BOX 169
HOBSON, MT 59452 0169

WATER RIGHT NUMBER(S) BEING CHANGED

Water Right Type	Water Right Number	Priority Date
STATEMENT OF CLAIM	41S-7479	APRIL 20, 1890
STATEMENT OF CLAIM	41S-11661	JULY 1, 1883
STATEMENT OF CLAIM	41S-16519	APRIL 20, 1890
STATEMENT OF CLAIM	41S-16522	JULY 1, 1883
STATEMENT OF CLAIM	41S-138217	JULY 1, 1883
STATEMENT OF CLAIM	41S-138218	APRIL 20, 1890

PAST USE OF WATER

STATEMENT OF CLAIM NO. 41S 7479 CLAIMED A FLOW RATE OF 4500 GALLONS PER MINUTE (10.0 CFS) AND VOLUME UP TO 1152.0 ACRE-FEET FROM THE JUDITH RIVER. THE POINT OF DIVERSION WAS LISTED AS SW SW SE SECTION 32 T15N R15E TO IRRIGATE 480 ACRES IN SECTONS 33 & 34 T15N R15E, ALL IN JUDITH BASIN COUNTY. THE CLAIMED PRIORITY DATE IS APRIL 20, 1890, WITH A PERIOD OF USE FROM MAY 1 TO SEPTEMBER 1 ANNUALLY.

STATEMENT OF CLAIM NO. 41S 11661 CLAIMED A FLOW RATE OF 160 MINERS INCHES (4.0 CFS) AND VOLUME UP TO 1152.0 ACRE-FEET FROM THE JUDITH RIVER. THE POINT OF DIVERSION WAS LISTED AS SE NW NE SECTION 1 T14N R14E TO IRRIGATE 480 ACRES IN SECTONS 33 & 34 T15N R15E, ALL IN JUDITH BASIN COUNTY. THE CLAIMED PRIORITY DATE IS JULY 1, 1883, WITH A PERIOD OF USE FROM MARCH 1 TO SEPTEMBER 30 ANNUALLY.

STATEMENT OF CLAIM NO. 41S 16519 CLAIMED A FLOW RATE OF 825 GALLONS PER MINUTE (1.84 CFS) AND VOLUME UP TO 672.0 ACRE-FEET FROM THE JUDITH RIVER. THE POINT OF DIVERSION WAS LISTED AS SW SW SE SECTION 32 T15N R15E TO IRRIGATE 280 ACRES IN SECTONS 2 & 3 T14N R15E, ALL IN JUDITH BASIN COUNTY. THE CLAIMED PRIORITY DATE IS APRIL 20, 1890, WITH A PERIOD OF USE FROM MAY 1 TO SEPTEMBER 1 ANNUALLY.

STATEMENT OF CLAIM NO. 41S 16522 CLAIMED A FLOW RATE OF 24 MINERS INCHES (0.6 CFS) AND VOLUME UP TO 1524.0 ACRE-FEET FROM THE JUDITH RIVER. THE POINT OF DIVERSION WAS LISTED AS SE SW NW SECTION 1 T14N R14E TO IRRIGATE 635 ACRES IN SECTONS 2 & 3 T14N R15E AND SECTION 35 T15N R15E, ALL IN JUDITH BASIN COUNTY. THE CLAIMED PRIORITY DATE IS JULY 1, 1883, WITH A PERIOD OF USE FROM MAY 1 TO SEPTEMBER 30 ANNUALLY.

STATEMENT OF CLAIM NO. 41S 138217 CLAIMED A FLOW RATE OF 210 MINERS INCHES (5.25 CFS) AND VOLUME UP TO 504.0 ACRE-FEET FROM THE JUDITH RIVER. THE POINT OF DIVERSION WAS LISTED AS SE SW NW SECTION 1 T14N R14E TO IRRIGATE 210 ACRES IN SECTONS 26 & 35 T15N R15E, ALL IN JUDITH BASIN COUNTY. THE CLAIMED PRIORITY DATE IS JULY 1, 1883, WITH A PERIOD OF USE FROM MAY 1 TO OCTOBER 1 ANNUALLY.

PROPOSED CHANGE

APPLICANT PROPOSES TO CHANGE THE POINT OF DIVERSION AND PLACE OF USE OF STATEMENT OF CLAIM NOS. 41S 7479, 41S 11661, 41S 16519, 41S 16522, 41S 138217 & 41S 138218. APPLICANT ALSO PROPOSES TO REMOVE A STORAGE RESERVOIR ASSOCIATED WITH A CENTER PIVOT SYSTEM AUTHORIZED FOR CHANGE IN 1982. THE REQUESTED FLOW RATE IS 7.5 CUBIC FEET PER SECOND TO IRRIGATE 633.6 ACRES WITH FOUR CENTER PIVOTS.

ADDITIONAL INFORMATION

ADDITIONAL PAST USE OF WATER: STATEMENT OF CLAIM NO. 41S 138218 CLAIMED A FLOW RATE OF 210 MINERS INCHES (5.25 CFS) AND VOLUME UP TO 504.0 ACRE-FEET FROM THE JUDITH RIVER. THE POINT OF DIVERSION WAS LISTED AS SE SW NW SECTION 1 T14N R14E TO IRRIGATE 210 ACRES IN SECTONS 26 & 35 T15N R15E, ALL IN JUDITH BASIN COUNTY. THE CLAIMED PRIORITY DATE IS APRIL 20, 1890, WITH A PERIOD OF USE FROM MAY 1 TO OCTOBER 1 ANNUALLY.

In general, the department will make a preliminary determination to grant or deny this application within 120 days of the date the application is deemed correct and complete. That date is currently unknown. If the preliminary determination is to grant the application, the application will be published in the local newspaper and a notice will be sent to appropriators who, according to the department records may be affected by the proposed appropriation. Individuals will have 45 days to submit an objection under § 85-2-308, MCA, after the application has been published in the newspaper.

Direct questions regarding this application to the Water Resources Regional Office, 613 NE MAIN, SUITE E, LEWISTOWN, MT 59457-2020 FAX: 406-538-7089 PHONE: 406-538-7459